

RECEIVED

**Dr. Alexander Nicolas**

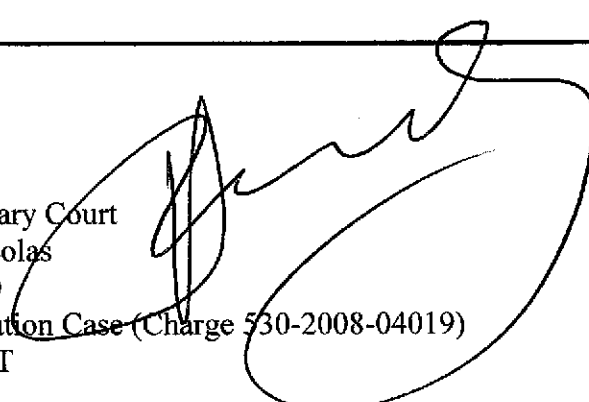
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FEB 16 2010

AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

**MEMO**

TO: New Jersey Judiciary Court  
FROM: Dr. Alexander Nicolas  
DATE: February 16, 2010  
RE: EEOC Discrimination Case (Charge 530-2008-04019)  
NOTICE OF SUIT



**SUMMARY COMPLAIN**

I am writing to make you aware that I have been working with the Trenton Board of Education for more that fifteen years as a Substitute Teacher, Certified World Language Teacher, and Certified Teacher Leader. I currently have my Supervisor, Principal, and School Administration certificates. I have been discriminated by the Administrative Staff of the Board of Education. The discrimination is based on my race, age, and national origin; the administrative staff of the Board of Education has not been fair to me. I have applied for several Supervisor, Principal, Vice-Principal, and central office administrative position for over a period of five years. I have been to more than fifty interviews. I have a Doctoral degree in Educational Administration, two Masters Degrees, and a Bachelors degree; I have passed all required test by the State of New Jersey. I am qualified to be a Principal or School Administrator in the State of New Jersey.

The Administrative Staff of the Trenton Board of Education have hired other without prior teaching experience, certification or prior administrative experience. Additionally limited resources mean have been invested in this situation to help in the resolution of the unfair and illegal hiring practice of school administrators in Trenton Board of Education. In addition, I requested an investigation to be done by the school board and other entities in prior correspondent dated April 1, 2008 (EXHIBIT ON PG. 33). It is my intent to place a complained and class A action suit and meet the numerosity requirements under the Civil Rights Act of 1964, S. 701 et seq., 706 as amended, 42 U. S. C. A., S. 2000e et seq., 2005e; 42 U. S. C. A., S. 1981, 1983; Fed Rules Civ.Pro.Rule 23(a), (b)(2), 28 U. S. C. A., against the Trenton Board of Education on the basis of discrimination. **The Trenton Board has violated my human rights under: Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin. U. S. C. A (s.) 2000e-2: Unlawful employment practice which violates the petitioner rights under Treatises section:**

**Drawing upon several historic facts that will be presented to the court, the Trenton Board of Education mounted the following charges:**

**S. 1:49 National Origin –tribal affiliation:**

**I. DISCRIMINATION BASE ON RACE**

**Title VII prohibits discrimination based on race. 42 U. S. C. A (S.) 2000e-(a). The prima facie establishes that (1)**

The plaintiff (**Alexander Nicolas**) can establish a prima facie case of race discrimination under Title VII by establishing that (1) he is an American citizen born and raise in the City of Panama, Rep of Panama and is part of a Hispanic group based in Central America; (2) During the school year 2006-2008 plaintiff (**Alexander Nicolas**) applied and was qualified for the different administrative jobs for which the employer (**The Trenton Board of Education**) was seeking applicants; (3) plaintiff (**Alexander Nicolas**) was rejected for the position despite his qualifications; and (4) similarly situated individuals of another race were treated more favorably.

## **II. DISPARATE TREATMENT**

### **S. 1:29 IN GENERAL**

## **III. Hostile environment**

### **S. 1:45 Hostile environment**

The plaintiff (**Alexander Nicolas**) can establish a prima facie case of race discrimination under Title VII by establishing that (1) he is an American citizen born and raise in the City of Panama, Rep of Panama; (2) During the school year 2006-2008 plaintiff (**Alexander Nicolas**) applied and was qualified for the different administrative jobs for which the employer (**The Trenton Board of Education**) was seeking applicants; (3) plaintiff (**Alexander Nicolas**) was rejected for the position despite his qualifications; and (4) similarly situated individuals of another race were treated more favorably. He was also place in an adverse employment action.

#### **IV. RETALIATION**

##### **S. 1:45 Retaliation**

The plaintiff (**Alexander Nicolas**) engaged in a protected activity by writing letters to the human resources department of the Trenton Board of Education and filling a EEOC Discrimination Case (Charge 530-2008-04019) (1) he is an American citizen born and raise in the City of Panama, Rep of Panama; (2) plaintiff (**Alexander Nicolas**) was abolished and Plaintiff was demoted to a teacher of world language; (3) plaintiff (**Alexander Nicolas**) was rejected for the various administrative position despite his qualifications due to writing complains to the school board during the 2007-2008 school year. A causal link exists between the protected activity and the adverse employment action.

#### **V. PATTERN AND PRACTICE**

##### **S. 1:30 "Pattern-and-practice"**

The plaintiff (**Alexander Nicolas**) can establish a prima facie case of race discrimination under Title VII by establishing that (1) a history of alleged racially discriminatory practices; (2) statistical disparities ; (3) the standard less and largely subjective hiring procedures; and (4) specific instances of alleged discrimination against various unsuccessful Hispanic applicants for administrative jobs.

**THE HARM THAT OCCURRE AS A RESULTS OF THE  
DEFENDANT'S ACT INCLUDE:**

**LIST OF DAMAGE AND INJURY**

- 1.) These complain seeks a declaratory and injunctive relief as to past and future retaliation and any adverse employment actions; actual economical damages, compensatory damages, including those for past and future pecuniary losses, emotional pain, mental anguish, lost of enjoyment of life, public humiliation, and other nonpecuniary losses.
- 2.) Pre and post-judgment interest and attorneys' fees and cost.
- 3.) The appropriate administrative position.

**PRELIMINARY DOCUMENTATION**

- I. PART OF PROTECTED GROUP .....PG 1
- II. QUALIFIED FOR THE JOB.....PG 2-14
- III. POSITIONS THAT PLAINTIFF APPLIED FOR WITH RECEIPTS  
.....PG 15-32

**IV. LETTERS SEND TO THE SCHOOL BOARD TO RESOLVE THE  
SITUATION WITH POSITIONS THAT PLAINTIFF APPLIED FOR  
THE 2007-2008 SCHOOL YEAR.....PG 33-51**

**V. ABOLISHMENT OF POSTION (TEACHER  
LEADER).....PG 56**

**VI. DEMOTION AS A SPANISH TEACHER....PG 57**

**VII. LETTERS OF INTEREST FOR VARIOUS  
POSITIONS.....PG 50, 51, AND 51 A**

**VIII. MEETING WORK EXPECTATIONS....PG 60-68**

**IX. WORKING ENVIORMENT...PG 69-79**

**X. POSTING THAT I APPLIED FOR AND WAS NOT CALL AN  
INTERVIEW 2009-2010 SCHOOL YEAR PG .....80-86**

**XI. NEW POSTIONS PLAINTIFF APPLIED FOR 2009-2010 SCHOOL  
YEAR.....PG 87-97**

**XII. UNFAIR EMPLOYMENT  
PRACTICE.....PG 99-107**

**NOTE: DUE TO THE LARGE AMOUNT OF PAGES ON THE FILE  
COMPLETE FILE WILL BE PROVIDED TO THE COURT WHEN NEEDED  
FOR THE JUDGE TO REVIEW.**



**DR. ALEXANDER NICOLAS, PH.D.**

YEAR/DATE RECEIVED	JOB TITLE	LOCATION	POSTING NUMBER	N. OF POSITIONS	
6/2/2005	VICE-PRINCIPAL	DUNN MIDDLE SCHOOLS	922	1 (PG.15)	1
6/2/2005	VICE-PRINCIPAL	ALTERNATIVE PROGRAM /MIDDLE SCHOOL	922	1(PG.15)	2
6/2/2005	VICE-PRINCIPAL	ROBBINS ANNEX	922	1(PG.15)	3
6/2/2005	VICE-PRINCIPAL	HEDGEPEETH/WILLIAMS	922	1(PG.15)	4
6/2/2005	VICE-PRINCIPAL	SOUTH WARD ANNEX ELEMENTARY	922	1(PG.15)	5
3/23/2005	PRINCIPAL	TCHS WEST	898	1 (PG.16A)	6
<b>THE YEAR</b>	<b>2006</b>	<i>year 2005</i>			<i>6 (Jobs)</i>
12/14/2006	PRINCIPAL	TRENTON HIGH WEST	15	1(PG.16)	7
9/12/06	ASS. S. STUDENT SERVICES	CENTRAL SERVICES	956	1(PG.17)	8
9/12/06	ASS. S. FOR CURRICULUM	CENTRAL SERVICES	955	1(PG.17)	9
		<i>2006</i>			<i>3 jobs</i>
4/30/2008	PRINCIPAL	MONUMENT	478	1 (PG.18)	10
1/24/2007	VP-PRINCIPAL	HEDPGEPETH WILLIAMS	26	1 (PG.19)	11
1/2/2008	ASSIST. DIV. SUPERINTENDENT	CENTRAL SERVICES	327	1 (PG.20)	12
7/2/2008	VP-PRICIPAL	KILMER ELEMENTARY	595	1 (PG.21A)	13
7/2/2008	VP-PRICIPAL	DUNN MIDDLE SCHOOL	596	1(PG.21A)	14
7/2/2008	VP-PRICIPAL	HEDPGEPETH WILLIAMS	597	1 (PG.21A)	15
4/30/2008	PRINCIPAL	DUNN MIDDLE SCHOOL	409	1 (PG.24/A)	16
6/25/2008	PRINCIPAL	DUNN MIDDLE SCHOOL	593	1 (PG.24 B)	17
12/3/2007	VP-PRINCIPAL	HEDPGEPETH WILLIAMS	302	1 (PG.25/A )	18
11/21/2007	PRINCIPAL	HEDPGEPETH WILLIAMS	303	1 (PG.25/ B)	19
12/7/2007	VP-PRINCIPAL	KILMER	306	1 (PG.27)	20



12/7/2007	VP-PRINCIPAL	RIVERA	312	1 (PG.28)
12/7/2007	SUPERINTENDE NT FOR CURRICULUM		313	1 (PG.29)
2/6/2007	VP-PRINCIPAL	RIVERA	355	1 (PG.30)
6/26/2008	DIRECTOR FOR PRO. DEVELOPMENT	CENTRAL SERVICES	575	1 (PG.32)
			2007-2008	

22

23

24

25

15 (Jobs)